

Exhibit B

SIVE | PAGET | RIESEL

STEVEN BARSHOV
DIRECT DIAL: 646.378.7229
SBARSHOV@SPRLAW.COM

July 30, 2021

BY EMAIL - forestburghcodes@gmail.com

Mr. Glenn Gabbard
Building Inspector
Town of Forestburgh
332 King Road
Forestburgh, NY 12777

Re: Lost Lake

Dear Glenn,

Recently, I had a very helpful conversation with the Town's counsel, Javid Afsazi, who informed me that the Town wanted to have confirmed that the outside agency permits were in place. Javid indicated to me that this is the information needed so you can continue to issue building permits. He also indicated that I should send this information directly to you.

So, attached please find a chart listing the outside agency permits and copies of the current permits themselves. In addition, I am also attaching a letter from Orange & Rockland affirming that they will be servicing the community with electricity.

In order to be sure that everyone knows how my client is intending to proceed, the initial building permits are for model homes. Over the course of the next 12 months, my client intends to construct/install the required infrastructure as well as to complete construction of 50+ homes in the east section of Phase 1 of the development. The goal is to have such infrastructure work and home construction completed by mid-summer 2022.

As I am sure you can appreciate, there are very significant capital investments, carrying costs, and property taxes associated with this project. So, your help in meeting the one-year timetable will be appreciated very much. We can discern no basis for not issuing the requested building permits and returning the building permit applications to my client, but we want to maintain a cooperative relationship with the Town, so we are providing all of the requested information about agency permits. That said, if there is any reason why the building permits which were requested approximately one month ago cannot be issued next week, please let me know.

Following the transmission of the attached materials, my client will be communicating with you directly. I have been told that the working relationship with you has been open, productive, and positive. We certainly want to be sure that this positive working relationship continues. So, Yehuda Miller and my client's contractor, Issac Rosenberger and Zalman Stein, will be reaching out to you on Monday to be sure you have what you need and to facilitate your issuance of building permits next week.

Glenn Gabbard

July 30, 2021

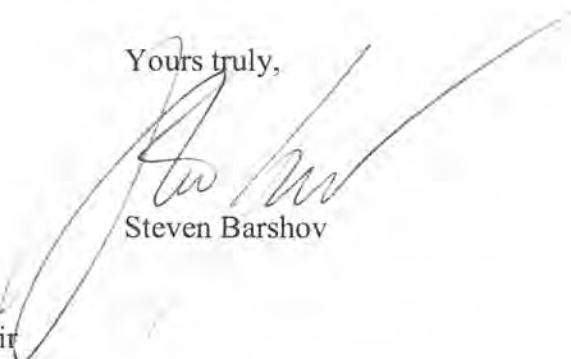
Page 2 of 2

I have copied the Town Supervisor, Town Attorney and Planning Board Chair, so we are all on the same page. I ask only one thing, please let me or Yehuda know if you have a problem or need documentation so that we can address the situation quickly. If you are not sure to whom you should send any such request, feel free to email or call me. I will be sure it gets directed to the proper party on our end.

My clients are excited to be developing Lost Lake and enabling it to begin generating real property taxes from finished homes. We know that the Lost Lake community represents a large percentage of the Town's tax base. Your help in issuing building permits and enabling my client to complete construction of buildings within one year, will enable the tax rolls of the Town to increase.

If anything is unclear or you need anything additional, please let me know and I will take care of it right away. If there is any reason why building permits cannot be issued next week, please let me know at once. Thank you!

Yours truly,



Steven Barshov

cc: Daniel S. Hogue, Jr., Supervisor
Richard Robbins, Planning Board Chair
Javid Afsazi, Town council
Mordechai Halberstam
Yehuda Miller
Jack Gold
Rose Development

Facility DEC ID 3-4830-00061

Permit Authorizations

Freshwater Wetlands - Under Article 24

Permit ID 3-4830-00061/00007

Modification # 1	Effective Date: <u>12/8/2020</u>	Expiration Date: <u>11/14/2022</u>
Reissuance	Effective Date: <u>12/8/2020</u>	Expiration Date: <u>11/14/2022</u>

Stream Disturbance - Under Article 15, Title 5

Permit ID 3-4830-00061/00008

Modification # 1	Effective Date: <u>12/8/2020</u>	Expiration Date: <u>11/14/2022</u>
Reissuance	Effective Date: <u>12/8/2020</u>	Expiration Date: <u>11/14/2022</u>

Water Quality Certification - Under Section 401 - Clean Water Act

Permit ID 3-4830-00061/00009

Modification # 1	Effective Date: <u>12/8/2020</u>	Expiration Date: <u>11/14/2022</u>
Reissuance	Effective Date: <u>12/8/2020</u>	Expiration Date: <u>11/14/2022</u>

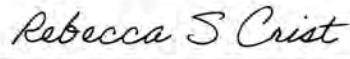
NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: REBECCA S CRIST, Deputy Regional Permit Administrator

Address: NYSDEC Region 3 Headquarters
 21 S Putt Corners Rd
 New Paltz, NY 12561

Authorized Signature:


Date 12 / 08 / 2020

Distribution List

Randy Gracy, Lost Lake Resort Inc

James Bates, Ecological Analysis

Brian Orzel, Army Corps of Engineers

Daniel S. Hogue, Jr., Town of Forestburgh Supervisor

Michael Fraatz, NYSDEC Bureau of Ecosystem Health

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS**WATER QUALITY CERTIFICATION SPECIFIC CONDITION**

DOCKET NO. D-2011-007 CP-1

DELAWARE RIVER BASIN COMMISSION

Special Protection Waters

**Lost Lake Resort, Inc.
Groundwater Withdrawal
Town of Forestburgh, Sullivan County, New York**

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by ABC Engineering of NY (ABC) on behalf of Lost Lake Resort, Inc. on May 19, 2011 (Application), for review of a new public water supply system. The New York State Department of Environmental Conservation (NYSDEC) is currently reviewing Water Supply (WS) Application No. 3-4830-00061/00005 for this withdrawal and supply and is not opposed to the Commission approving the project first.

The Application was reviewed for inclusion in the Comprehensive Plan and for approval under Section 3.8 of the *Delaware River Basin Compact*. The Sullivan County Planning Department has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on December 8, 2011.

A. DESCRIPTION

1. Purpose. The purpose of this docket is to approve the operation of five new groundwater wells (Wells Nos. O, HH, FFF, JJJ, and TW5) in order to provide the docket holder's proposed public water supply system and golf course associated with the Lost Lake Resort (LLR) development with a maximum monthly demand of up to 19.84 million gallons. Well No. TW5 is to be used for irrigation only.

2. Location. The five project wells are located in the Town of Forestburgh, Sullivan County, New York, within the Devonian – Lower Walton Formation in the Neversink River Watershed. The LLR development is located within the drainage area to the section of the non-tidal Delaware River known as the Middle Delaware Special Protection Waters (SPW).

Specific location information has been withheld for security reasons.

3. Area Served. Wells Nos. O, HH, FFF, and JJJ will supply water to the docket holder's public water supply system, which will service the LLR development property. This includes the

D-2011-007 CP-1 (Lost Lake Resort – Groundwater Withdrawal)

8

addition, the docket holder shall provide written notification to all potentially impacted users of wells or surface water supplies of the docket holder's responsibilities under this condition. Any ground or surface water user which is substantially adversely affected, rendered dry or otherwise diminished as a result of the docket holder's project withdrawal, shall be repaired, replaced or otherwise mitigated at the expense of the docket holder. A report of investigation and/or mitigation plan prepared by a hydrologist shall be submitted to the Executive Director as soon as practicable. The Executive Director shall make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and the extent of appropriate mitigation measures, if required.

v. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.

w. Prior to allowing connections from any new service areas or any new developments, the docket holder shall either submit and have approved by the Executive Director of the DRBC a NPSPCP in accordance with Section 3.10.3.A.2.e, or receive written confirmation from the Executive Director of the DRBC that the new service area is in compliance with a DRBC approved NPSPCP.

x. Within 6 months of approval of this docket, the docket holder shall submit and have approved by the Executive Director of the DRBC, a NPSPCP in accordance with Article 3.10.3A.2.e.1) and 2). of the Commission's *WQR*.

y. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the Rules of Practice and Procedure. In accordance with Section 15.1(p) of the Delaware River Basin Compact, cases and controversies arising under the Compact are reviewable in the United States district courts.

BY THE COMMISSION

APPROVAL DATE: December 8, 2011

EXPIRATION DATE: December 8, 2021

DOCKET NO. D-2011-008 CP-1

DELAWARE RIVER BASIN COMMISSION

Discharge to a Tributary of Special Protection Waters

**Lost Lake Resort, Inc.
Wastewater Treatment Plant
Town of Forestburgh, Sullivan County, New York**

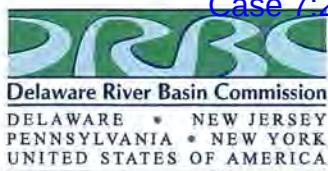
PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by ABC Engineering of NY (ABC) on behalf of Lost Lake Resort, Inc. on May 19, 2011 (Application), for review of a new wastewater treatment plant (WWTP). The New York State Department of Environmental Conservation (NYSDEC) has been provided with draft effluent limitations from the Commission's Neversink River Water Quality Model (NR-WQM) for inclusion in their State Pollutant Discharge Elimination System (SPDES) Permit for this project. The NYSDEC expects to issue the SPDES Permit and Plan Approval for this project after issuance of this docket.

The Application was reviewed for inclusion of the project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Sullivan County Planning Department has been notified of pending action. A public hearing on this project was held by the DRBC on December 8, 2011.

A. DESCRIPTION

1. **Purpose**. The purpose of this docket is to approve the construction and operation of a new 0.135 million gallons per day (mgd) WWTP to service the Lost Lake Resort (LLR) development.
2. **Location**. The LLR WWTP will seasonally discharge to the Bush Kill at River Mile 253.64 – 14.52 – 5.35 (Delaware River – Neversink River – Bush Kill) via Outfall No. 001 in the drainage area to the Middle Delaware Special Protection Waters (SPW) area. During warmer months treated wastewater will be spray irrigated onto the docket holder's proposed golf course.



Delaware River Basin Commission

25 Cosey Road
 PO Box 7360
 West Trenton, New Jersey
 08628-0360
 Phone: (609) 883-9500 Fax: (609) 883-9522
 Web Site: <http://www.drbc.gov>

Steven J. Tambini, P.E.
 Executive Director

December 18, 2019

Via US Mail

Mr. Randy Gracy, Sr. Vice President
 Double Diamonds Resort Company
 5495 Belt Line Road, Suite 200
 Dallas, TX 75254

SUBJECT: Lost Lake Resort, Inc., Wastewater Treatment Plant,
 Town of Forestburgh, Sullivan County, New York
 Delaware River Basin Commission (DRBC) Docket No. D-2011-008 CP-1

Dear Mr. Gracy,

This is in response to your inquiry on behalf of your client regarding the status of the application and docket for Lost Lake Resort Docket No. D-2011-008 CP-1. Please know that upon receipt of the timely and complete application on December 7, 2015, the DRBC administratively continued the docket. Please note that Docket No. D-2011-008 CP-1 is the existing active docket for the facility; no new docket has been issued.

As you may know, DRBC and the New York State Department of Environmental Conservation (NYSDEC) entered into an administrative agreement to facilitate a one-permit process whereby the NYSDEC takes the lead on discharge permits through their SPDES process and DRBC includes all of our requirements in the SPDES permit. With NYDEC's Environmental Benefit Permit Strategy (EBPS), not all permits are reopened to include our requirements so in some instances this process cannot be completed, and we must keep our docket in administrative continuance or re-issue the docket. As there have been no modifications to the Lost Lake WWTP, we have **elected to keep the docket in administrative continuance rather than re-issue a new docket**. We are working with NYSDEC to remedy this situation so that permittees can fully benefit from a one-permit process. We may re-issue a docket for this facility if there is a strong preference to. I am available to discuss this matter at your convenience. If you have any questions, please contact me by telephone at 609-477-7264 or via email at david.kovach@drbc.nj.gov.

Sincerely,

David Kovach, P.G.
 Project Review Manager

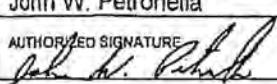
Mr. Randy Gracy, Sr. Vice President
Double Diamonds Resort Company
December 18, 2019
Page 2

Copy: Dan Durange
Eagle Rock Resort Company
1031 Valley of Lakes
Hazleton, PA 18202

Daniel Cook, P.E. (via email)
Alfred Benesch & Company
dcook@benesch.com

GS-20-5(10/00)-25c R3 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION																																																	
DEC PERMIT NUMBER 3-4830-00061/00006																																																	
FACILITY/PROGRAM NUMBER(s) WSA# 11,514																																																	
PERMIT Under the Environmental Conservation Law (ECL)																																																	
		EFFECTIVE DATE November 15, 2012																																															
		EXPIRATION DATE None (Except see Condition "D" on page 3)																																															
<table border="1"> <tr> <td colspan="5">TYPE OF PERMIT (Check All Applicable Boxes)</td> </tr> <tr> <td><input type="checkbox"/> New</td> <td><input type="checkbox"/> Renewal</td> <td><input type="checkbox"/> Modification</td> <td><input type="checkbox"/> Permit to Construct</td> <td><input type="checkbox"/> Permit to Operate</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Article 15, Title 5:Protection of Water</td> <td><input type="checkbox"/></td> <td>Article 17, Titles 7, 8:SPDES</td> <td><input type="checkbox"/></td> <td>Article 27, Title 9; 6NYCRR 373:Hazardous Waste Management</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Article 15, Title 15:Water Supply</td> <td><input type="checkbox"/></td> <td>Article 19:Air Pollution Control</td> <td><input type="checkbox"/></td> <td>Article 34:Coastal Erosion Management</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Article 15, Title 15:Water Transport</td> <td><input type="checkbox"/></td> <td>Article 23, Title 27:Mined Land Reclamation</td> <td><input type="checkbox"/></td> <td>Article 36:Floodplain Management</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Article 15, Title 15:Long Island Wells</td> <td><input type="checkbox"/></td> <td>Article 24:Freshwater Wetlands</td> <td><input type="checkbox"/></td> <td>Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Article 15, Title 27:Wild, Scenic & Recreational Rivers</td> <td><input type="checkbox"/></td> <td>Article 25:Tidal Wetlands</td> <td><input type="checkbox"/></td> <td>Other _____</td> </tr> <tr> <td><input type="checkbox"/></td> <td>6NYCRR 608:Water Quality Certification</td> <td><input type="checkbox"/></td> <td>Article 27, Title 7; 6NYCRR 360:Solid Waste Management</td> <td colspan="2"></td> </tr> </table>				TYPE OF PERMIT (Check All Applicable Boxes)					<input type="checkbox"/> New	<input type="checkbox"/> Renewal	<input type="checkbox"/> Modification	<input type="checkbox"/> Permit to Construct	<input type="checkbox"/> Permit to Operate	<input type="checkbox"/>	Article 15, Title 5:Protection of Water	<input type="checkbox"/>	Article 17, Titles 7, 8:SPDES	<input type="checkbox"/>	Article 27, Title 9; 6NYCRR 373:Hazardous Waste Management	<input checked="" type="checkbox"/>	Article 15, Title 15:Water Supply	<input type="checkbox"/>	Article 19:Air Pollution Control	<input type="checkbox"/>	Article 34:Coastal Erosion Management	<input type="checkbox"/>	Article 15, Title 15:Water Transport	<input type="checkbox"/>	Article 23, Title 27:Mined Land Reclamation	<input type="checkbox"/>	Article 36:Floodplain Management	<input type="checkbox"/>	Article 15, Title 15:Long Island Wells	<input type="checkbox"/>	Article 24:Freshwater Wetlands	<input type="checkbox"/>	Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control	<input type="checkbox"/>	Article 15, Title 27:Wild, Scenic & Recreational Rivers	<input type="checkbox"/>	Article 25:Tidal Wetlands	<input type="checkbox"/>	Other _____	<input type="checkbox"/>	6NYCRR 608:Water Quality Certification	<input type="checkbox"/>	Article 27, Title 7; 6NYCRR 360:Solid Waste Management		
TYPE OF PERMIT (Check All Applicable Boxes)																																																	
<input type="checkbox"/> New	<input type="checkbox"/> Renewal	<input type="checkbox"/> Modification	<input type="checkbox"/> Permit to Construct	<input type="checkbox"/> Permit to Operate																																													
<input type="checkbox"/>	Article 15, Title 5:Protection of Water	<input type="checkbox"/>	Article 17, Titles 7, 8:SPDES	<input type="checkbox"/>	Article 27, Title 9; 6NYCRR 373:Hazardous Waste Management																																												
<input checked="" type="checkbox"/>	Article 15, Title 15:Water Supply	<input type="checkbox"/>	Article 19:Air Pollution Control	<input type="checkbox"/>	Article 34:Coastal Erosion Management																																												
<input type="checkbox"/>	Article 15, Title 15:Water Transport	<input type="checkbox"/>	Article 23, Title 27:Mined Land Reclamation	<input type="checkbox"/>	Article 36:Floodplain Management																																												
<input type="checkbox"/>	Article 15, Title 15:Long Island Wells	<input type="checkbox"/>	Article 24:Freshwater Wetlands	<input type="checkbox"/>	Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control																																												
<input type="checkbox"/>	Article 15, Title 27:Wild, Scenic & Recreational Rivers	<input type="checkbox"/>	Article 25:Tidal Wetlands	<input type="checkbox"/>	Other _____																																												
<input type="checkbox"/>	6NYCRR 608:Water Quality Certification	<input type="checkbox"/>	Article 27, Title 7; 6NYCRR 360:Solid Waste Management																																														
PERMIT ISSUED TO Lost Lake Resort Water Company, Inc.			TELEPHONE NUMBER (214) 706-9870																																														
ADDRESS OF PERMITTEE 5495 Belt Line Rd, Suite 200 Dallas, Texas, 75254																																																	
CONTACT PERSON FOR PERMITTED WORK Randy Gracy, Vice President			TELEPHONE NUMBER (214) 706-9870																																														
NAME AND ADDRESS OF PROJECT/FACILITY Lost Lake Resort, St. Joseph's Rd. (CR 108), and Cold Spring Rd. (CR 102), Forestburgh, NY 12777																																																	
LOCATION OF PROJECT/FACILITY 2000 feet west of intersection of St. Joseph's Rd. (CR 108), and Cold Spring Rd. (CR 102)																																																	
COUNTY Sullivan	TOWN Forestburgh	WATERCOURSE/WETLAND NO. Tributaries of Bush Kill	NYTM COORDINATES Well O: E: 526096 N: 4602212 Well HH: E: 526239 N: 4601898 Well FFF: E: 526451 N: 4601497 Well JJJ: E: 526398 N: 4601656																																														
DESCRIPTION OF AUTHORIZED ACTIVITY Installation of a complete water supply and distribution system to serve newly created Phase 1 of Lost Lake Resort Water Supply System and the taking of up to 554,400 gallons per day (gpd) from four Wells, in accordance with Special Condition No. 1 of this permit.																																																	
Water use for irrigation is not authorized by this permit. Well No. TW 5, which is not authorized as a potable water supply source for this Phase 1 will be used for irrigation.																																																	
Phase 1 of Lost Lake Resorts includes 400 single family residential homes, 3 units of sales Office and a golf course located in Forestburgh in Sullivan County. See Special Condition No. 2.																																																	

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (See Page 2) and any Special Conditions included as part of this permit.

DEPUTY REGIONAL PERMIT ADMINISTRATOR John W. Petronella	ADDRESS 21 South Putt Corners Rd., New Paltz NY 12561
AUTHORIZED SIGNATURE 	Date 11/15/2012
Page 1 of 4	

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits

NYSDEC HEADQUARTERS

625 BROADWAY

ALBANY, NY 12233

(518) 402-9167



SPDES PERMIT RENEWAL

9/25/2017

RANDY GRACY
DOUBLE DIAMOND COMPANIES
10100 N CENTRAL EXPWY STE 600
DALLAS TX 75231

Permittee Name: LOST LAKE RESORT INC
Facility Name: LOST LAKE RESORT
Ind. Code: 8999 County: SULLIVAN
DEC ID: 3-4830-00061/00005 SPDES No.: NY0275204
Permit Effective Date: 11/15/2017
Permit Expiration Date: 11/14/2022

Dear Permittee,

The State Pollutant Elimination System (SPDES) permit renewal for the facility referenced above is approved with the new effective and expiration dates. This letter together with the previous valid permit for this facility effective on 11/15/2012 and any subsequent modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified in the previously issued permit(s).

As a reminder, SPDES permits are renewed at a central location in Albany in order to make the process more efficient. All other concerns with your permit, including applications for permit modification or transfer to a new owner, a name change, and other questions, should be directed to:

Regional Permit Administrator
NYSDEC Region 3 Headquarters
21 S Putt Corners Rd
New Paltz, NY 12561
(845) 256-3041

RECEIVED NOV 20 2017

If you have already filed an application for modification of your permit, it will be processed separately by that office.

If you have questions concerning this permit renewal, please contact MICHAEL R SCHAEFER at (518) 402-9167.

Sincerely,

John J Ferguson
Chief Permit Administrator

cc:

RPA
BWC

RWE
File

BWP
EPA

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits

NYSDEC HEADQUARTERS

625 BROADWAY

ALBANY, NY 12233

(518) 402-9167



SPDES PERMIT RENEWAL

9/25/2017

RANDY GRACY
DOUBLE DIAMOND COMPANIES
10100 N CENTRAL EXPWY STE 600
DALLAS TX 75231

Permittee Name: LOST LAKE RESORT INC
Facility Name: LOST LAKE RESORT
Ind. Code: 8999 County: SULLIVAN
DEC ID: 3-4830-00061/00005 SPDES No.: NY0275204
Permit Effective Date: 11/15/2017
Permit Expiration Date: 11/14/2022

Dear Permittee,

The State Pollutant Elimination System (SPDES) permit renewal for the facility referenced above is approved with the new effective and expiration dates. This letter together with the previous valid permit for this facility effective on 11/15/2012 and any subsequent modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified in the previously issued permit(s).

As a reminder, SPDES permits are renewed at a central location in Albany in order to make the process more efficient. All other concerns with your permit, including applications for permit modification or transfer to a new owner, a name change, and other questions, should be directed to:

Regional Permit Administrator
NYSDEC Region 3 Headquarters
21 S Putt Corners Rd
New Paltz, NY 12561
(845) 256-3041

RECEIVED NOV 20 2017

If you have already filed an application for modification of your permit, it will be processed separately by that office.

If you have questions concerning this permit renewal, please contact MICHAEL R SCHAEFER at (518) 402-9167.

Sincerely,

John J Ferguson
Chief Permit Administrator

cc:

RPA
BWC

RWE
File

BWP
EPA

620 BROADWAY, ALBANY, NEW YORK 12233-3300

P: (518) 402-8111 F: (518) 402-9029

www.dec.ny.gov

12/22/2020

LOST LAKE MANAGEMENT CORP
MORDECHAI HALBERSTAM
991 WILLOUGHBY AVE, SUITE 200
BROOKLYN, NY 11211

**RE: ACKNOWLEDGMENT of NOTICE OF INTENT for
Coverage Under SPDES General Permit for
Storm Water Discharges from CONSTRUCTION
ACTIVITY – General Permit No. GP-0-20-001**

Dear Prospective Permittee:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) has received a complete Notice of Intent (NOI) for coverage under General Permit No. GP-0-20-001 for the construction activities located at:

**LOST LAKE RESORT
947 COLD SPRING ROAD
FORESTBURGH, NY 12777**

County: SULLIVAN

Pursuant to Environmental Conservation Law (ECL) Article 17, Titles 7 and 8, and ECL Article 70, discharges in accordance with GP-0-20-001 from the above construction site will be authorized on **12/11/2020**, which is the date we received your final NOI, unless notified differently by the department.

The permit identification number for this site is: **NYR11H489**. Be sure to include this permit identification number on any forms or correspondence you send us. When coverage under the permit is no longer needed, you must submit a Notice of Termination to the Department.

This authorization is conditioned upon the following:

1. The information submitted in the NOI received by the Department on **12/11/2020** is accurate and complete.
2. You have developed (or obtained from the previous owner) a Storm Water Pollution Prevention Plan (SWPPP) that complies with GP-0-20-001 which must be implemented as the first element of construction at the above-noted construction site.
3. Activities related to the above construction site comply with all other requirements of GP-0-20-001.



June 24, 2013

M. Christopher McCoach, P.E.
ABC Engineering of NY
400 One Norwegian Plaza
Pottsville, PA 17901

Re: Lost Lake Resort – Phase 1
Realty Subdivision and Public Water Supply Plans
(T) Forestburg, Sullivan County, NY

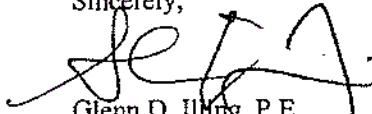
This is to acknowledge receipt of revised drawings and supporting documentation most recently received on June 20, 2013 for the above referenced project. The New York State Department of Health, Monticello District Office and the NYSDOH Bureau of Water Supply Protection have completed review of the materials submitted and granted approval on this day June 24, 2013.

Included with this correspondence are copies of Form DOH-1330 "*Certificate of Approval of Realty Subdivision Plan*" and Form DOH-1017 "*Approval of Plans for Public Water Supply Improvement*".

Your attention is directed to the conditions of approval for both the realty subdivision and the public water supply. In order for these approvals to remain in effect these conditions must be adhered to. Be advised that the realty subdivision approval is not considered final until a complete set of the approved plans has been filed with the Sullivan County Clerk's Office.

If you have any questions, please contact me at 845-794-2045.

Sincerely,



Glenn D. Illing, P.E.
Public Health Engineer

GDI:gdi

Enc.: DOH-1017
DOH-1330

cc: M. Migliaccio, NYSDOH, BWSP
File

HEALTH.NY.GOV
facebook.com/NYSDOH
twitter.com/HealthNYGov

NEW YORK STATE DEPARTMENT OF HEALTH
Bureau of Public Water Supply Protection

Approval of Plans for Public Water Supply Improvement

This approval is issued under the provisions of 10 NYCRR, Part 5:

1. Applicant	2. Location of Works (C, V, T)	3. County	4. Water District (Specific Area Served)
Lost Lake Resort, Inc.	(T) Forestburgh	Sullivan	Lost Lake Resort Water District
5. Type of Project <input checked="" type="checkbox"/> 1 Source <input checked="" type="checkbox"/> 3 Pumping <input type="checkbox"/> 5 Fluoridation <input checked="" type="checkbox"/> 7 Distribution <input type="checkbox"/> 9 Other <input checked="" type="checkbox"/> 2 Transmission <input checked="" type="checkbox"/> 4 Chlorination <input type="checkbox"/> 6 Other Treatment <input checked="" type="checkbox"/> 8 Storage			
Remarks: PWSID# This approval is applicable to Lost Lake Resort – Phase 1 and includes (4) approved ground water sources, disinfection, storage, pumping, transmission, and distribution.			

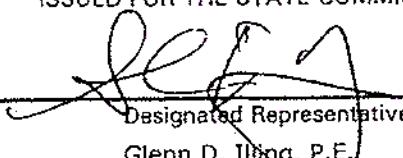
By initiating construction of the approved water supply, the applicant or designated representative in responsible charge of the water system accepts and agrees to abide by and conform with the following conditions:

- 1 THAT the proposed works are constructed in complete conformity with the plans and specifications approved this day or approved amendments and conditions there to.
- 2 THAT the proposed works be constructed in accordance with all applicable Federal, State, and local regulations
- 3 THAT the maximum water taking shall not exceed 554,400 gpd in accordance with Special Condition 1 of NYSDEC Permit 3-4830-00061/00006.
- 4 THAT Well TW-5 is not approved as a potable source and shall not be connected to the potable water supply without prior approval from the New York State Department of Health, Monticello District Office.
- 5 THAT prior to approval of completed works, well abandonment in accordance with Part 5, Appendix 5-A, Recommended Standards for Water Works (current revision) shall be completed for Well A, BB, C, D, DD, EE, JJ, N, OO, P, TW-3, TW-4, and TW-7.
- 6 THAT prior to approval of completed works, hydrostatic pressure testing of all water mains shall be conducted in accordance with applicable AWWA Standards and with satisfactory results.
- 7 THAT prior to approval of completed works, disinfection of water system facilities shall be conducted in accordance with applicable AWWA standards. This shall include satisfactory results from microbiological analysis of samples collected on two consecutive days at representative points in the distribution system. The results of those analyses shall be forwarded to this office upon completion.
- 8 THAT upon completion of works, this office shall receive a letter bearing the seal of a NYS Licensed Professional Engineer certifying that the installation is completed in compliance with approved plans.
- 9 THAT prior to issuance of completed works approval, documentation designating an appropriate grade certified operator in responsible charge of the water system shall be provided to the New York State Department of Health, Monticello District Office.
- 10 THAT the proposed works not be placed into operation until such time as a Competed Works Approval is issued in accordance with Part 5 of the New York State Sanitary Code.
- 11 THAT prior to placing the proposed works into service, the designated water system operator shall contact the New York State Department of Health, Monticello District Office to confirm all monitoring and reporting requirements.

ISSUED FOR THE STATE COMMISSIONER OF HEALTH

June 24, 2013

Date

 P.E.
Designated Representative

Glenn D. Illing, P.E.
Public Health Engineer II
NYSDOH – Monticello District Office

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 3

100 Hillside Avenue, Suite 1W, White Plains, NY 10603
P: (914) 428-2505 | F: (914) 428-0323
www.dec.ny.gov

July 11, 2018

RECEIVED AUG 14 2013

Double Diamond Companies
10100 N Central Expwy Suite 600
Dallas, Texas 75231

Attn: Mr. Randy Gracy, Sr. Vice-President

**Re: Re-Approval of Plans for Sewage Disposal System
Lost Lake Resort – Phase 1
SPDES Permit No. NY0275204
Town of Forestburg, Sullivan County**

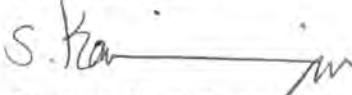
Dear Mr. Gracy:

This office received the attached letter dated May 29, 2018, from Mr. Christopher McCoach, P.E., requesting the re-approval of the plans for the referenced project, prepared by ABC Engineering of NY and originally approved on May 31, 2013. The letter states that construction of the project is continuing, but the Wastewater Treatment Plant has not been installed. There are no changes to the previously approved plans.

This letter re-approves the plans for the referenced project and must be kept with the previously approved plans and approval letter dated May 31, 2013. All conditions of the May 31, 2013 approval letter remain in effect and this approval expires May 31, 2023.

If you have any questions, please contact Arthur Crawford at (914) 428-2505, extension 353.

Very truly yours,



Shohreh Karimipour, P.E.
Regional Water Engineer

SK/ac
Attachments

cc: M. Christopher McCoach, P.E., ABC Engineering of NY
N.Y.S. Department of Health, Monticello District Office
Delaware River Basin Commission

Subject	Permitting Agency	Permit/Approval	Expiration	Notes	Status
Freshwater Wetlands, Stream Disturbance, Water Quality Certification	NY State DEC	Phase 1: Permit Extension #3-4330-0006; 00007-0008-00009	12/30/2022		Renewal application filed
Wetland Mitigation	US Army Corps of Engineers	Phase 1: Permit (updated) RMAN 2014 0-433 WDR	03/18/27	To be renewed in days	Active
Special Protection Waters / Groundwater Withdrawal	Delaware River Basin Commission	Notice of Commission Action #3-2011-007 CP-1	12/08/21	Renewal application filed in January 2020	Active
WWTP Discharge to a Tributary of Special Protection Waters	Delaware River Basin Commission	Notice of Commission Action #3-2011-008 CP-1	12/08/24		Active
Water Supply System	NY State DEC	Phase 1: Permit #3 4830 00061/00006	N/A	No expiration date	Active
State Pollutant Discharge Elimination System (SPDES)	NY State DEC	Discharge Permit NY-027 5204	12/14/22		Active
Stormwater Discharges from Construction Activities	NY State DEC	NYR3-1-489 Acknowledgment of Notice of Intent RGP-0-01-001	N/A	No expiration date	Active
Realty Subdivision	NY State Department of Health	Phase 1: Approval Certificate	05/24/23		Active
Public Water Supply Plant	NY State Department of Health	Phase 1: Approval Certificate	N/A	No expiration date	Active
Sewage Collection System	NY State DEC	Sewage System Permit #NY-027 5204	5/31/2023		Active